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RESPONSE - NOTICE  
OF MISSING PARTS  
PATENT

Our File No.: A32774-PCT-A-USA - 065268.0167

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Georges Baikoff et al.  
Serial No. : 09/833,958 Examiner: (to be assigned)  
Filed : April 12, 2001 Group Art Unit: (to be assigned)  
For : SCLERAL EXPANSION SEGMENT

**RESPONSE TO NOTIFICATION OF MISSING  
REQUIREMENTS UNDER 35 U.S.C. 371**

**BY EXPRESS MAIL - LABEL NO. : ET346779210US**

May 17, 2002

Assistant Commissioner for Patents  
**Box Missing Parts**  
Washington, DC 20231

Sir:

Responsive to a Notification of Missing Requirements Under 35 U.S.C. 371 dated June 5, 2001, a copy of which is enclosed, and pursuant to the accompanying Petition to Reset Time Period is a Combined Declaration and Power of Attorney document referring to the above-identified application by one or more of the following in compliance with 37 C.F.R. 1.63:

- ☒ [X] Name of inventor and application serial number;
- ☒ [X] Name of inventor, attorney docket number which was on the application as filed, and filing date of the application;
- ☒ [X] Name of inventor, title of invention and filing date;
- ☐ [ ] Name of inventor, title of invention and reference to a specification which is attached to the oath or declaration at the time of execution and filed with the oath or declaration;
- ☐ [ ] Name of inventor, title of invention. As presently advised, the undersigned, a registered attorney, states that the application filed in the PTO is the application which the inventor executed by signing the oath or declaration.

### Fee Calculation:

- |           |                                     |   |                  |
|-----------|-------------------------------------|---|------------------|
| 1.        | <input checked="" type="checkbox"/> | A fee payment in the amount of  | \$ <u>130.00</u> |
|           | <input checked="" type="checkbox"/> | \$130 - Other than Small Entity   |                  |
|           | <input type="checkbox"/>            | \$ 65 - Small Entity  |                  |
|           |                                     | representing payment of the surcharge<br>due for late filing of the Declaration<br>pursuant to 37 C.F.R. 1.16(e);   |                  |
| 2.        | <input type="checkbox"/>            | A three month extension of time to file the Response<br>to Missing Parts is respectfully requested.<br>The required fee, calculated pursuant to<br>1.136(a), is enclosed in the amount of | \$ _             |
| 3.        | <input type="checkbox"/>            | Other:  | \$               |
| TOTAL FEE |                                     |   | \$ <u>130.00</u> |

Enclosed is a check for \$130.00 in payment of the above-specified fees.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication to our Deposit Account No. 02-4377. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

BAKER BOTTS L.L.P.

Anthony Fiore

Anthony Giaocio  
Patent Office Reg. No. 39,684

**Attorney for Applicants**  
**(212) 408-2500**

Enclosure

#4



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/833,958	04/12/2001	Georges Baikoff	32774 PCT A USA

CONFIRMATION NO. 3818

## FORMALITIES LETTER



\*OC000000006141669\*

BAKER BOTTS L.L.P.  
44TH FLOOR  
30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112-0228

Date Mailed: 06/05/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

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*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY

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